

REMARKS

Claims 90-95, 97-102 and 105-108 are currently pending, of which claims 90, 99 and 105 are in independent form. No claims have been amended hereby.

Applicant appreciates the phone discussion with the Examiner on July 9, 2010 regarding the pending Office Action as well as Applicant's duty of candor under 37 C.F.R. §1.56.

Favorable reconsideration of the present patent application as currently constituted is respectfully requested.

Regarding the Provisional Double Patenting Rejections

Claims 90, 99 and 105 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over (i) claims 65, 97 and 108 of copending application No. 09/782,412 and (ii) claims 71, 84 and 95 of copending Application No. 10/671,162.

Regardless of any terminal disclaimers previously submitted with respect to the foregoing provisional double patenting rejections, and without acquiescing in the characterization of the claims of the present patent application or of the allegedly conflicting claims of Application Nos. 09/782,412 or 10/671,162

("double patenting reference applications") as set forth in the outstanding Office Action in connection with the pending double patenting rejections, Applicant submits that owing to the current status of the double patenting reference applications, the pending double patenting rejections are no longer tenable.

It is noted that the reference Application No. 10/671,162 is no longer active. Therefore, there is no double patenting with respect to that reference application. On the other hand, current claims of the reference Application No. 09/782,412 are directed to the subject matter that is different from the subject matter of the claims of the instant application. By way of example, base claim 65 of the '412 application reads as follows:

65. A method of redirecting e-mail messages and message attachments to a user of a mobile data communication device that is associated with a host system and communicates therewith, the method comprising:

receiving a configuration command from the mobile data communication device, the configuration command operating to enable a preferred sender list with respect to the user;

receiving a data item for the user at the host system, the data item including a message attachment and an e-mail message addressed to a first address identifying a mailbox that is viewable by the user;

determining that the received data item is from a sender on the preferred sender list;

repackaging at least a portion of the e-mail message with an outer envelope having a second address associated with the mobile data communication device and redirecting the repackaged portion via a wireless network;

receiving a first command message from the mobile data communication device at the host system requesting more of the data item; and

redirecting the message attachment from the host system to the mobile data communication device via the wireless network in response to the first command message.

Base claim 97 of the '412 application is directed to a computer-implemented system for redirecting e-mail messages and message attachments to a user of a mobile data communication device that is associated with a host system, and recites substantially similar features. Base claim 108 of the '412 application is no longer active.

In contrast, pending base claim 90 of the instant patent application reads as follows:

90. A method of redirecting information between a messaging host system and a wireless mobile data device that is associated with a computer connected over a network to the messaging host system, the method comprising:

receiving an indication at a redirector component indicating receipt of a mail item for a user from a sender by the messaging host system, wherein the mail item is addressed to a first address identifying a mailbox that is viewable by the user via the computer;

processing a copy of the mail item at the redirector component to encrypt the copy of the mail item and repackage the encrypted mail item with an outer envelope having a second address that is associated with the user's wireless mobile data device;

sending the repackaged mail item to the wireless mobile data device over a wireless network;

receiving an encrypted reply mail item that is packaged in an outer envelope from the wireless mobile data device at the redirector component;

removing the outer envelope from the encrypted reply mail item at the redirector component;

decrypting the reply mail item at the redirector component; and

interfacing the reply mail item to the messaging host system by the redirector component such that the reply mail item is sent to the sender wherein the first address is configured as the reply mail item's originating address.

The remaining base claims, i.e., claims 99 and 105, of the instant patent application also recite substantially similar features. By comparing the features recited in the claims of '412 application with the features of the currently pending claims of the instant application, it is clear that these two applications are directed to cover patentably distinct subject matter. It is therefore believed that there is no reasonable basis for a double patenting rejection of the pending claims over the '412 application.

At least for the foregoing reasons, Applicant respectfully traverses the outstanding double patenting rejections.

Regarding the Allowable Subject Matter

Applicant appreciates the indication that claims 90-95, 97-102 and 105-108 are allowable over the art of record, although base claims 90, 99 and 105 are subject to the double patenting rejections. Based on the discussion set forth above, it is believed that all claims 90-95, 97-102 and 105-108 are in condition for allowance over the art of record without any limitation.

Regarding Applicant's Duty of Candor

Further to the July 9, 2010 phone discussion with the Examiner, Applicant wishes to bring to the attention of the Office an ongoing interference between Patent No. 6,219,694 (commonly owned by the assignee of the instant patent application) and Application No. 09/095,325 (real party in interest being Motorola, Inc.). This interference is styled Lazaridis v. Eggleston, Patent Interference 105,700 (APJ: Jameson Lee), whose record may be found at

<https://acts.uspto.gov/ifiling/> (by clicking the blue "Interferences" bar to enter the BPAI portal and entering the interference number "105700"). The single count of the interference is claim 60 of the '325 application or claim 28 of the '694 patent. These claims are reproduced below:

60. (Eggleston '325 application) A method for forwarding messages generated at a mobile client by a message sender destined for a message recipient, comprising the steps of:

receiving a message, generated at the mobile client by the message sender destined for the message recipient, at a forwarding component associated with a host system, wherein messages generated at the host system by the message sender use a first address;

configuring the received message such that the received message appears to the message recipient as if the received message originated at the sender's first address, wherein messages generated at either the mobile client or host system appear to originate at the message sender's first address; and

forwarding the configured received message to the message recipient.

28. (Lazaridis '694 patent) A method for redirecting messages generated at a mobile data communication device by a message sender destined for a message recipient, comprising the steps of:

receiving a message, generated at the mobile data communications device by the message sender destined for the message recipient, at a redirector component

associated with a host system, wherein messages generated at the host system by the message sender use a first address;

configuring address information of the received message such that the received message uses the message sender's first address as the address originating the message, wherein messages generated at either the mobile data communications device or host system share the message sender's first address; and

redirecting the configured received message to the message recipient.

Applicant is submitting herewith an Information Disclosure Statement based on the aforementioned interference while reserving the right to submit additional IDSs.

Reservation of Rights

Notwithstanding the foregoing, Applicant reserves all rights not exercised in connection with this response, such as, e.g., the right to challenge or rebut any tacit or explicit characterization of any reference or of the present claims, the right to challenge any Official Notice(s) taken, the right to challenge or rebut any asserted factual or legal basis of any of the rejections of the present Office Action, or the right to swear behind any cited reference such as provided under 37 C.F.R. §1.131 or otherwise.

Fee Statement

Compared to the highest number previously paid for, the total number of claims and the number of independent claims have not increased. A petition for a THREE-month extension of the response period is being made. Applicant is also filing an IDS herewith. Accordingly, payment via electronic filing is being authorized in the applicable amount(s). If any additional fees are due or any overpayments have been made, however, please charge or credit our deposit account (Deposit Account No. 03-1130).

SUMMARY AND CONCLUSION

In view of the fact that none of the art of the record, whether considered alone or in combination discloses, anticipates or suggests the present embodiments, as now defined by the independent claims, and in further view of the above amendments and/or remarks, reconsideration of the Action and allowance of the present patent application are respectfully requested and are believed to be appropriate.

Respectfully submitted,



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